

CITY COUNCIL, CITY OF LODI  
 COUNCIL CHAMBER, CITY HALL  
 APRIL 15, 1959

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, April 15, 1959: Councilmen Culbertson, Katzakian, Mitchell, Robinson and Brown (Mayor) present; Director Rodgers and Administrative Assistant Brown present.

MINUTES On motion of Councilman Katzakian, Culbertson second, the minutes of April 1, 1959 were approved as written and mailed after making the following correction: Insert before the last sentence in paragraph entitled "Allied Grape Growers Industrial Waste" the following sentence: "also, in the event that it is necessary to increase facilities, the Company would bear its proper share of the Capital Outlay."

PUBLIC HEARINGS

TOKAY STREET Mayor Brown called for public hearing on the intention  
 LIGHTING to construct street lights in the Tokay Street  
 DISTRICT Lighting District. Mr. C. C. Spitzer, 610 West  
 Tokay, stated that he wanted street lights but  
 wanted to know if he would save any money by waiting  
 for a larger district. He was told that there were  
 too many factors involved to be able to give a  
 "yes" or "no" answer. Mr. Lee Weintz, 707 South  
 California Street, stated he would prefer waiting  
 until the whole area decided to have lights and  
 wanted his name removed from the petition. Mr.  
 Erwin Sailer, 635 South Orange, considered it unfair  
 to assess a corner lot on two sides. Mrs. Willard  
 Sierel, 720 South California Street, stated she thought  
 the petition was to cover the Tokay Gardens Subdivision  
 when she signed it. Mr. Sierel said he was in favor  
 of street lights, but thought that the district  
 should include a larger area instead of piecemeal  
 operations. The people present were informed that  
 names could not be removed from the petition and  
 that it would have required signatures of owners of  
 50% of the area in the proposed lighting district  
 in order to override the petition; that corner lots  
 are required to be assessed according to footage;  
 and that it is up to the people wanting lights and  
 circulating the petition to decide on the size of  
 the district. A letter from R. A. Norton, 546  
 West Tokay Street, favoring installation of the  
 street lights, was read. Since there were insufficient  
 protests to override the petition, on motion of  
 Councilman Robinson, Culbertson second, the Council  
 adopted Resolution No. 2220 overruling the protests.  
 On motion of Councilman Katzakian, Mitchell second,  
 the Council adopted Resolution No. 2221 ordering the  
 work, and on motion of Councilman Mitchell, Katzakian  
 second, the Council adopted Resolution No. 2222  
 directing the assessment to be prepared for the  
 Tokay Street Lighting District.

WESTWOOD AVE. The Mayor then called for public hearing on the  
SETBACK LINE intention of the City Council to establish a setback  
line on Westwood Avenue 25 feet from the center  
line of said street. There were no protests either  
ORD. NO. 641 written or oral. On motion of Councilman Culbertson,  
INTRODUCED Katsakian second, the Council introduced Ordinance  
No. 641 establishing the setback line on Westwood  
Avenue by reading of title only and waiving the  
reading of the ordinance in full.

## PLANNING COMMISSION

RESIDENTIAL The Planning Commission recommended that the design  
STREET standard for a residential street contained in the  
STANDARDS Subdivision Ordinance be modified by having the  
existing standard of a 55' right of way with 40' pave-  
ment changed to a 50' right of way with a 2 $\frac{1}{2}$ ' utility  
easement on each side and with a 40' pavement. This  
change would allow homes to be placed 45' from the  
center of the street and 20' from the sidewalk rather  
than 47 $\frac{1}{2}$ ' from the center of the street and 22 $\frac{1}{2}$ '  
from the sidewalk. Councilman Robinson, Mitchell  
second, moved that the recommendation of the Planning  
Commission be rejected and no change be made in  
residential street requirements. The motion passed  
by the following vote:

AYES: Councilmen - Culbertson, Mitchell, Robinson  
and Brown  
NOES: Councilmen - Katsakian

PARK SITE AT The Planning Commission recommended that the City  
ERMA REESE purchase five acres of land south of the Erma B.  
SCHOOL Reese School for a park site. The five acres are  
part of a 32-acre tract that is being subdivided  
and should be acquired before the completion of the  
final map of the subdivision. This park site had  
been previously approved in principle by the City  
Council and had been recommended by the Recreation  
Commission. It was planned to develop the area  
as a passive park to be used in conjunction with  
the School's playground area. Councilmen Culbertson  
and Katsakian felt the City should purchase the site  
while it was available. Councilmen Mitchell and  
Robinson felt that the City should not purchase  
more land for park purposes at the present time,  
but should develop present park sites. Councilman  
Katsakian moved, Culbertson second, that the City  
acquire a site of five acres, more or less, south  
of the Erma B. Reese School for \$5750 per acre.  
The motion passed by the following vote:

AYES: Councilmen - Culbertson, Katsakian and Brown  
NOES: Councilmen - Mitchell and Robinson.

REZONING OF The Planning Commission recommended that Lots 1 and  
S. HUTCHINS ST. 64, Capell Manor Subdivision (749 and 801 South  
Hutchins Street) be rezoned from the R-2 one-family  
residential zone to the R-3 limited multiple family  
residential zone. On motion of Councilman Katsakian,  
Culbertson second, the matter was set for public  
hearing on May 6, 1959.

## PC REPORTS

The following actions of the Planning Commission were reported:

1. Denied the request of Mrs. Tillie Suelzle for a variance to permit the re-establishment of a plumbing shop as a non-conforming use at 616 South Garfield Street in the R-3 residential zone.
2. Approved the tentative map of Son-Ray Manor Subdivision.
3. Approved the tentative map of Cabell Park Subdivision.

## COMMUNICATIONS

SUELZLE  
APPEAL

Appeal of Mrs. Tillie Suelzle from the action of the Planning Commission in denying her request for a variance to permit the re-establishment of a plumbing shop at 616 South Garfield Street as a non-conforming use. The matter was set for public hearing on May 6, 1959 on motion of Councilman Culbertson. Katzakian second. Councilman Culbertson recommended that the Council see the place in question.

W. LOCKEFORD  
ST. ANNEXA-  
TION

Petition from owners of property on the south side of West Lockeford Street for annexation to the City of approximately seven acres. The City Clerk certifies there are less than twelve registered voters in the area and the boundaries have been approved by the County Boundary Commission. Resolution No. 2223. Resolution of intention to annex said property as the West Lockeford Street Addition and setting public hearing thereon for May 20, 1959 was adopted on motion of Councilman Katzakian. Mitchell second.

RES. OF INT.  
NO. 2223  
ADOPTED

## THANKS

Letter from Mr. Clyde C. Church and Mr. Arthur W. Marquardt, former owners of the Lodi News-Sentinel, thanking the Council for the tribute paid them by Resolution No. 2219.

## CVD. LCC

Notice of the Central Valley Division, League of California Cities, meeting to be held in Los Banos on April 23, 1959.

STATE COMPEN-  
SATION INS.  
REFUND

Letter from the State Compensation Insurance Fund notifying the City of a refund of \$7,104.22 on the premium paid during the policy period ending July 1, 1958, which amounts to a net savings of 54.1% of premium at basic rates, and commending City employees for their safety record. The Council requested that a letter be written to the employees commending them for their fine achievement in reduction of accidents.

## REPORTS OF THE CITY MANAGER

MASTER STORM  
DRAINAGE PLAN

In bringing up the matter of the storm drainage master plan, the City Manager reported that the Division of Highways had reopened the question of drainage of the by-pass and it was doubtful if the City would get between \$50-70,000 from the State for this purpose. He also stated that the Woodbridge Irrigation District was not willing to permit the City to discharge storm water into the canal on a temporary basis at a point south of the City's pump at Kettleran Lane. The Director of Public Works then explained, with the aid of a map, the plan for storm drainage and the revisions that had been made in the Wilsey and Ham Plan. He stated that the cost of the entire plan would be around \$1,120,000. It was decided

that the Director of Public Works itemize the work and costs thereof for the next five years on each year's work and also itemize storm drainage costs for the past five years; this is to be presented to the Council at its meeting of May 20.

**CLAIMS** Claims in the amount of \$27,257.35 were approved on motion of Councilman Mitchell. Katzakian second.

**SPEED LIMIT ON EAST LOCKEFORD STREET.** The City Manager stated that surveys had been conducted of the traffic on East Lockeford Street between Stockton Street and Cherokee Lane and that it had been determined that the present speed limit of 55 miles per hour is hazardous and he recommended that the limit be set at 35 miles per hour. On motion of Councilman Mitchell, Culbertson second, the Council adopted Resolution No. 2224 establishing the speed limit on East Lockeford Street between Stockton Street and Cherokee Lane as 35 miles per hour.

RES. NO. 2224

**ALLIED GRAPE GROWERS AGREEMENT** A proposed agreement with Allied Grape Growers (Community Wineries) for discharge of industrial wastes was presented by the City Manager. The City Council wished it clearly understood that the rates therein were in accordance with Ordinance No. 350, the liquid wastes disposal ordinance, or any amendments thereto, and on motion of Councilman Culbertson, Katzakian second, the agreement was approved and the Mayor authorized to execute the same after the agreement had been changed by including reference to Ordinance No. 350 therein.

**SALES TAX COLLECTION** The City has received notice from the State Board of Equalization that legislation is being enacted whereby the Board would be able to transmit sales tax collections to the City "periodically as promptly as feasible" instead of monthly as at present. This is expected to accelerate transmittal of the collections to the City by approximately five weeks. To expedite matters, the Board has forwarded to the City an amendment to the present agreement for execution. Councilman Katzakian moved that the agreement with the State Board of Equalization for State administration of local sales taxes collected shall be transmitted to the City as promptly as feasible and that the Mayor be authorized to execute said amendment. The motion was seconded by Councilman Mitchell and passed by unanimous vote.

**STOCKTON ST. WIDENING AT BLAKELY PARK** The City Manager stated that when plans for Blakely Park had been made, Stockton Street was designated as having a 60-foot paved width and if it were to be widened five feet at Blakely Park, it would require the resetting of telephone poles, the relocation of a water line and the removal of 12 trees. It had been determined that it would be less expensive to plant new trees rather than to attempt relocating the existing trees. It is estimated that the cost of widening the street, including the extra paving, would be around

\$1200. not counting the trees. Rather than having the street widened, the City Manager recommended that the money be used to develop the Park parking lot as he felt that the 60-foot paved width would be ample for street traffic and that it would be safer for the people using the park to use the parking lot rather than the street. The cost of developing the parking lot would be around \$1500. Most of the Council members felt that widening the street would be a safety factor and on motion of Councilman Robinson, Culbertson second, authorized widening Stockton Street at Blakely Park five feet to give the street a 65' paved width, by the following vote:

AYES: Councilmen - Culbertson, Mitchell, Robinson  
and Brown.  
NOES: Councilmen - Katzakian.

CIVIL DEFENSE Mr. Graves reported that the civil defense ordinance needed revision and presented a new ordinance for the ORD. NO. 642 Council's approval. On motion of Councilman Culbertson, INTRODUCED Mitchell second, the Council introduced Ordinance No. 642 providing for civil defense and disaster operation and repealing Ordinance No. 427 and No. 432 by reading of title only and waiving reading of the ordinance in full.

## ORDINANCES

HEAVY ADDITION ORDINANCE NO. 640, entitled "ORDINANCE APPROVING THE ANNEXATION ANNEXATION OF CERTAIN UNINHABITED TERRITORY, DESIGNATED 'HEAVY ADDITION', TO THE CITY OF LODI, AND CLASSIFYING ORD. NO. 640 SAID PROPERTY IN THE C-2 COMMERCIAL ZONE", having ADOPTED been introduced at the regular meeting of April 1, 1959, was brought up for passage on the motion of Councilman Katzakian, Robinson second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Culbertson, Katzakian, Mitchell,  
Robinson and Brown  
NOES: Councilmen - None  
ABSENT: Councilmen - None

COUNCIL MEMBER Mayor Brown stated that he felt it was no longer neces- REMOVED FROM sary for a councilman to be on the City Planning Com- PLANNING mission, as the City now has a Planning Director who COMMISSION acts as a liaison between the Council and the Commission. It was pointed out that in cases of appeal from decision of the Planning Commission, one member of the Council was already biased which was unfair to the appellant. Councilman Robinson felt that the Council has already delegated too much authority and that a member of the Council should remain on the Commission. Councilman Katzakian moved that the Council member be eliminated from the City Planning Commission and that the vacancy be filled by a lay person. The motion was seconded by Mayor Brown and was adopted by the following vote:

AYES: Councilmen - Culbertson, Katzakian, Mitchell  
and Brown.  
NOES: Councilmen - Robinson

The meeting adjourned at 11:35 p.m.

Attest: Beatrice Garibaldi  
City Clerk